

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF DIECA COMMUNICATIONS, INC.)	
D/B/A COVAD COMMUNICATIONS COMPANY)	CASE NO.
FOR ARBITRATION OF INTERCONNECTION)	2004-00259
AGREEMENT AMENDMENT WITH)	
BELLSOUTH TELECOMMUNICATIONS, INC.)	
PURSUANT TO SECTION 252(B) OF THE)	
TELECOMMUNICATIONS ACT OF 1996)	

O R D E R

Since November 30, 2004, this proceeding regarding the request for arbitration by DIECA Communications, Inc. d/b/a Covad Communications Company ("Covad") with BellSouth Telecommunications, Inc. ("AT&T Kentucky") has been held in abeyance. The issue presented by this arbitration is whether AT&T Kentucky is obligated to provide Covad with access to line sharing pursuant to 47 U.S.C. § 271(c)(2)(B)(iv). Pending clarification from the Federal Communications Commission, AT&T Kentucky was ordered to continue to provide line sharing to Covad.

On July 30, 2007, Covad notified the Commission that it had reached an agreement with AT&T Kentucky and, therefore, withdrew its petition for arbitration.

The Commission HEREBY ORDERS that:

1. This proceeding is dismissed with prejudice and removed from the Commission's docket.

2. Within 20 days of the date of this Order, Covad and AT&T Kentucky shall file with the Commission a copy of their negotiated agreement which resolved this matter.

Done at Frankfort, Kentucky, this 13th day of August, 2007.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end, positioned above a solid horizontal line.

Executive Director